

addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent stress corrosion cracking, which could result in fractures of the outer cylinder aft trunnion and the subsequent loss of the main landing gear (MLG), accomplish the following:

(a) Within 5-1/2 years since the last overhaul of the MLG or since the date of manufacture of the MLG (for MLG's that have not been overhauled), or within 60 days after the effective date of this AD, whichever occurs later: Perform a visual inspection to determine if the fillet seal of the outer cylinder aft trunnion is cracked or missing, in accordance with Boeing Service Letter 767-SL-32-067, dated August 4, 1995. For the purposes of this AD, fillet seals are not considered to be "cracked" if cracks are found in the fillet seal paint only (where the fillet seal itself is not cracked).

(b) If no cracked fillet seal is found during the inspection required by paragraph (a) of this AD, repeat the inspection thereafter at intervals not to exceed 18 months.

(c) If any fillet seal is found to be cracked or missing during the inspection required by paragraph (a) of this AD, prior to further flight, remove the fillet seal (if present), clean the adjacent area with a solvent, apply corrosion inhibiting compound (CIC), and perform a visual inspection to detect corrosion, in accordance with Boeing Service Letter 767-SL-32-067, dated August 4, 1995.

(1) If no corrosion is detected, prior to the accumulation of 500 flight hours, reapply CIC and grease in accordance with the service letter. Thereafter, repeat the application of CIC and grease at intervals not to exceed 500 flight hours.

(2) If any corrosion is detected, prior to further flight, repair the aft trunnion in accordance with the service letter. Accomplishment of this repair constitutes terminating action for the repetitive inspection requirements of this AD.

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(e) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(f) The actions shall be done in accordance with Boeing Service Letter 767-SL-32-067, dated August 4, 1995. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be

obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124-2207. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

(g) This amendment becomes effective on September 29, 1995.

Issued in Renton, Washington, on September 7, 1995.

**D. L. Riggins,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

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## SECURITIES AND EXCHANGE COMMISSION

### 17 CFR Parts 230 and 240

[Release Nos. 33-7211; 34-36199]

#### Confidential Treatment Rules

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Final rules.

**SUMMARY:** The Commission is modifying a procedural requirement concerning the number of unredacted copies of material filed with the Secretary of the Commission by issuers applying for a grant of confidential treatment. This modification reduces the number of unredacted copies from three or more copies to one copy.

**EFFECTIVE DATE:** October 16, 1995.

**FOR FURTHER INFORMATION CONTACT:** John Bernas at (202) 942-2915 or L. Jacob Fien-Helfman at (202) 244-2997, Division of Corporation Finance, U.S. Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549.

**SUPPLEMENTARY INFORMATION:** The Commission today announces the adoption of amendments to Rule 406<sup>1</sup> under the Securities Act of 1933 ("the Securities Act")<sup>2</sup> and Rule 24b-2<sup>3</sup> under the Securities Exchange Act of 1934 ("the Exchange Act")<sup>4</sup>. Each rule is being revised for the limited purpose of reducing to one copy the unredacted material required to accompany a request for confidential treatment pursuant to either rule. In the case of Rule 406, the filing person is currently required to submit with the request for confidential treatment "as many copies of the confidential portion, each clearly

marked 'Confidential Treatment,' as there are copies of the material filed with the Commission." In the case of Rule 24b-2, the filing person is currently required to submit with the request for confidential treatment "as many copies of the confidential portion, each clearly marked 'Confidential Treatment,' as there are copies of the material filed with the Commission and with any exchange where such material is required to be filed."<sup>5</sup> Today's change in Rule 406 and Rule 24b-2 reduces the number of unredacted copies that are required to be submitted to the Secretary of the Commission with the request for confidential treatment to one copy in all circumstances.<sup>6</sup>

It is anticipated that these revisions will reduce the volume of paper processed and discarded by the Staff without reducing the Division's ability to process filings. This reduction should also increase security for confidential materials since the staff would handle only one unredacted copy. These revisions do not change the number of redacted copies of the materials required to be filed with the Commission's file desk.

These amendments relate solely to "agency organization, procedure or practice." Consequently, their promulgation is not subject to the notice and comment requirements of the Administrative Procedures Act;<sup>7</sup> similarly, this rule making is not subject to the requirements of the Regulatory Flexibility Act.<sup>8</sup>

#### Statutory Basis

The amendments are being adopted pursuant to Section 19 of the Securities Act and Section 23 of the Exchange Act.

#### List of Subjects in 17 CFR Parts 230 and 240

Registration requirements; Reporting and recordkeeping requirements; Confidential treatment; Securities.

#### Text of the Amendment

In accordance with the foregoing, Title 17, Chapter II of the Code of Federal Regulations is amended as follows:

<sup>5</sup> Non-EDGAR filers currently are required to file three or more copies of filed material (See 17 CFR 229.406 and 17 CFR 240.12b-11) while EDGAR filers are required to file one copy of such materials (See 17 CFR 232.309(b)).

<sup>6</sup> In those instances when an application is denied, a prior grant revoked, or the information otherwise made public, the staff practice is to request that the applicant amend the initial filing to disclose the previously redacted information by contemporaneously filing the required number of copies without redactions.

<sup>7</sup> 5 U.S.C. 553(b).

<sup>8</sup> 5 U.S.C. 603, 604.

<sup>1</sup> 17 CFR 230.406.

<sup>2</sup> 15 U.S.C. 77a et. seq.

<sup>3</sup> 17 CFR 240.24b-2.

<sup>4</sup> 15 U.S.C. 78a et. seq.

## PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

1. The authority citation for Part 230 continues to read, in part, as follows:

**Authority:** 15 U.S.C. 77b, 77f, 77g, 77h, 77j, 77s, 77sss, 78c, 78l, 78m, 78n, 78o, 78w, 78ll(d), 79t, 80a-8, 80a-29, 80a-30, and 80a-37, unless otherwise noted.

2. By amending § 230.406 by revising paragraphs (b)(1) and (b)(3), to read as follows:

### § 230.406 Confidential treatment of information filed with the Commission.

(b) \* \* \*

(1) One copy of the confidential portion, marked "Confidential Treatment," of the material filed with the Commission. The copy shall contain an appropriate identification of the item or other requirement involved and, notwithstanding that the confidential portion does not constitute the whole of the answer or required disclosure, the entire answer or required disclosure, except that in the case where the confidential portion is part of a financial statement or schedule, only the particular financial statement or schedule need be included. The copy of the confidential portion shall be in the same form as the remainder of the material filed;

(3) The copy of the confidential portion and the application filed in accordance with this paragraph (b) shall be enclosed in a separate envelope marked "Confidential Treatment" and addressed to The Secretary, Securities and Exchange Commission, Washington, DC 20549.

## PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

3. The authority citation for part 240 continues to read, in part, as follows:

**Authority:** 15 U.S.C. 77c, 77d, 77g, 77j, 77s, 77eee, 77ggg, 77nnn, 77sss, 77ttt, 78c, 78d, 78i, 78j, 78l, 78m, 78n, 78o, 78p, 78q, 78s, 78w, 78x, 78ll(d), 79q, 79t, 80a-20, 80a-23, 80a-29, 80a-37, 80b-3, 80b-4 and 80b-11, unless otherwise noted.

4. By amending § 240.24b-2 by revising paragraph (b)(1), designating the flush text following paragraph (b)(2) as paragraph (b)(3), and revising newly designated paragraph (b)(3) to read as follows:

### § 240.24b-2 Nondisclosure of information filed with the Commission and with any exchange.

\* \* \* \* \*

(b) \* \* \*

(1) One copy of the confidential portion, marked "Confidential Treatment," of the material filed with the Commission. The copy shall contain an appropriate identification of the item or other requirement involved and, notwithstanding that the confidential portion does not constitute the whole of the answer, the entire answer thereto; except that in the case where the confidential portion is part of a financial statement or schedule, only the particular financial statement or schedule need be included. The copy of the confidential portion shall be in the same form as the remainder of the material filed;

(3) The copy of the confidential portion and the application filed in accordance with this paragraph (b) shall be enclosed in a separate envelope marked "Confidential Treatment" and addressed to The Secretary, Securities and Exchange Commission, Washington, DC 20549.

\* \* \* \* \*

Dated: September 7, 1995.

By the Commission.

**Margaret H. McFarland,**  
*Deputy Secretary.*

[FR Doc. 95-22802 Filed 9-13-95; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 914

[SPATS No. IN-123-FOR; State Amendment No. 95-2]

#### Indiana Regulatory Program

**AGENCY:** Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

**ACTION:** Final rule; approval of amendment.

**SUMMARY:** OSM is approving a proposed amendment to the Indiana permanent regulatory program (hereinafter referred to as the "Indiana program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Indiana proposes to revise revegetation standards for success for nonprime farmland for surface and underground coal mining and reclamation operations under Indiana Code (IC) 13-4.1. The

amendment is intended to improve operational efficiency.

**EFFECTIVE DATE:** September 14, 1995.

**FOR FURTHER INFORMATION CONTACT:** Mr. Roger W. Calhoun, Director, Indianapolis Field Office, Office of Surface Mining Reclamation and Enforcement, Minton-Capehart Federal Building, 575 North Pennsylvania Street, Room 301, Indianapolis, Indiana 46204, Telephone (317) 226-6166.

#### SUPPLEMENTARY INFORMATION:

- I. Background on the Indiana Program.
- II. Submission of the Amendment.
- III. Director's Findings.
- IV. Summary and Disposition of Comments.
- V. Director's Decision.
- VI. Procedural Determinations.

#### I. Background on the Indiana Program

On July 29, 1982, the Secretary of the Interior conditionally approved the Indiana program. Background information on the Indiana program, including the Secretary's findings, the disposition of comments, and the conditions of approval can be found in the July 26, 1982, **Federal Register** (47 FR 32107). Subsequent actions concerning the conditions of approval and program amendments can be found at 30 CFR 914.10, 914.15, and 914.16.

#### II. Submission of the Amendment

By letter dated May 3, 1995 (Administrative Record No. IND-1460), Indiana submitted a proposed amendment to its program pursuant to SMCRA. Indiana submitted the proposed amendment at its own initiative. This amendment revises 310 IAC 12-5-64.1 and 310 IAC 12-5-128.1 pertaining to success standards for revegetation on nonprime farmland for surface and underground coal mining operations under IC 13-4.1.

OSM announced receipt of the proposed amendment in the May 30, 1995, **Federal Register** (60 FR 28069), and in the same document opened the public comment period and provided an opportunity for a public hearing on the adequacy of the proposed amendment. The public comment period closed on June 29, 1995.

#### III. Director's Findings

Set forth below, pursuant to SMCRA and the Federal regulations at 30 CFR 732.15 and 732.17, are the Director's findings concerning the proposed amendment.

#### 310 IAC 12-5-64.1 (Surface) and 12-5-128.1 (Underground) Revegetation Standards for Success for Nonprime Farmland

Since the revisions being proposed for surface mining at § 12-5-64.1(c) are